

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RAJA KANNAN,  
Plaintiff,  
v.  
APPLE INC.,  
Defendant.

Case No. [5:17-cv-07305-EJD](#)

**ORDER DENYING PLAINTIFF'S  
MOTION FOR RELIEF FROM  
NONDISPOSITIVE PRETRIAL ORDER  
OF MAGISTRATE JUDGE  
DEMARCHI**

Re: Dkt. No. 277

Before the Court is Plaintiff Raja Kannan's motion for relief from Magistrate Judge DeMarchi's nondispositive pretrial order. *See* Dkt. 277 ("Mot."). For the foregoing reasons, the Court **DENIES** Plaintiff's request.

In January 2020, this Court issued an order granting Karen Ford's (Plaintiff's former attorney) motion to withdraw. In this order, the Court referred the issue of what to do with the "Attorneys' Eyes Only" ("AEO") documents to Magistrate Judge DeMarchi. *See* Dkt. 229. Thereafter, Magistrate Judge DeMarchi had various hearings with the Parties regarding the AEO documents. Ultimately, on May 27, 2020, Magistrate Judge DeMarchi ordered Defendant Apple to (1) produce a written summary of information regarding the eight Apple employees who reported to Mr. Kotni and (2) review the confidential expert reports to ensure the redactions were limited to confidential, employee-specific compensation or personnel information. *See* Order re Defendant's AEO Designations ("Judge DeMarchi Order") at 2, Dkt. 262. Judge DeMarchi determined that Defendant did not need to further redact the AEO material or reproduce additional documents because Plaintiff did not state a specific need for (1) any particular document or (2) for information that was not already addressed by the summary of employee-specific information.

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1 *See id.* Plaintiff argues this ruling was “clearly erroneous and contrary to the law.” Mot. at 3.

2 The cases Plaintiff relies on are not persuasive. For instance, the *Taser International Inc.*  
3 *v. Stinger Systems Inc.* case that Plaintiff quotes is unhelpful. There, the pro se litigant objected to  
4 a *narrow* portion of the AEO stipulation—he argued that one paragraph of the protective order did  
5 not protect his legal interests. Judge DeMarchi specifically instructed Plaintiff to state (1) a  
6 specific need for a particular document or (2) his need for specific information not addressed in  
7 the ordered summaries. Plaintiff declined to do this. Instead, Plaintiff asked Judge DeMarchi to  
8 review the AEO documents in their entirety to determine what information should be redacted  
9 and/or anonymized. *See* Dkt. 269 at 55 (“Because you did not make specific requests about  
10 specific documents, you did everything with the same kind of statement that everything is  
11 relevant. I am not going to go through the documents myself and make calls for you, that’s just an  
12 unreasonable expectation of the court.”). Indeed, in this motion, Plaintiff again declines to  
13 indicate which documents he feels are necessary to his case and over-redacted. Plaintiff also  
14 seems to misunderstand his pro se status. He argues that because he is pro se, he is now entitled to  
15 see everything that an attorney would be able to see. *See* Mot. at 5–6. While it is true that upon  
16 termination, the client is presumed to be entitled full access to the attorney’s file, this rule must be  
17 understood in context to AEO designated documents. The documents Plaintiff seeks contain  
18 highly sensitive information about other Apple employees, which is why they are designated  
19 AEO. Plaintiff’s pro se status does not change this.

20 Accordingly, because Plaintiff did not provide Judge DeMarchi or this Court with specific  
21 requests about specific AEO documents, his motion for relief is **DENIED**.

22 **IT IS SO ORDERED.**

23 Dated: June 15, 2020

24   
25 EDWARD J. DAVILA  
United States District Judge

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